



Control Number: 51415



Item Number: 374

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**SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415**

2021 APR 15 PM 3:23

APPLICATION OF SOUTHWESTERN ELECTRIC POWER COMPANY FOR AUTHORITY TO CHANGE RATES	§ § §	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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**NUCOR STEEL LONGVIEW, LLC's FIRST REQUEST
FOR INFORMATION TO TEXAS INDUSTRIAL ENERGY CONSUMERS**

COMES NOW Nucor Steel Longview, LLC ("Nucor"), a division of Nucor Corporation, pursuant to Section 22.144 of the Procedural Rules of the Public Utility Commission of Texas and the procedural order in this proceeding, and requests that Texas Industrial Energy Consumers ("TIEC") answer the following questions under oath. Please present your response in accordance with the requirements of P.U.C. PROC. R. § 22.144(c)(2). State the name of the witness in this matter who will sponsor the answer to the question and can vouch for the truth of the answer. The answer should be filed under oath, or the responding party should stipulate in writing that the answer can be treated by all parties as if filed under oath. The response is requested within four (4) working days in compliance with the scheduling order entered in this proceeding. TIEC is under a continuing obligation to supplement or amend as needed in accordance with P.U.C. PROC. R. § 22.144.

These RFIs are intended to not be duplicative of other discovery propounded by any other party, therefore to the extent any information requested herein is found in responses to other discovery, TIEC's response should so state rather than producing additional responses. If any information sought herein has already been filed in the Docket, then reference to the location of that information is a sufficient response.

These requests are not intended to seek, and should be read as expressly excluding, privileged information or documents. Should any information be withheld from a response, please state in that response that you are withholding information or materials and the privilege(s)

asserted.

Provide your response to the undersigned authorized representatives at the address and email listed below.

Respectfully submitted,

STONE MATTHEIS XENOPOULOS & BREW, PC

/s/ Damon E. Xenopoulos

Damon E. Xenopoulos

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**AUTHORIZED REPRESENTATIVES FOR
NUCOR STEEL LONGVIEW, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served via electronic transmission, hand delivery and/or U.S. mail to all parties of record this 16th day of April 2021.

/s/ Joseph R. Briscar

Joseph R. Briscar

**NUCOR STEEL LONGVIEW, LLC'S FIRST REQUEST
FOR INFORMATION TO TEXAS INDUSTRIAL ENERGY CONSUMERS**

Definitions and Instructions

A. “**You**” and “**Your**” refers to Texas Industrial Energy Consumers (“TIEC”), an intervenor in PUC Docket No. 51415, SOAH Docket No. 473-21-0538.

B. “**Texas Industrial Energy Consumers**” or “**TIEC**” refers to its officers, employees, agents, representatives, attorneys, members, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of TIEC.

C. “**Nucor Steel Longview, LLC**” or “**Nucor**” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of Nucor.

D. The term “**Commission**” refers to the Public Utility Commission of Texas, an administrative agency of the State of Texas, and its Staff and Commissioners, natural persons employed by and working for the agency.

E. The term “**Staff**” as used herein refers to the natural persons employed by and working for the Public Utility Commission of Texas in any capacity.

F. “**Document**” and “**Documents**” are used herein in their broadest sense as set forth in Tex. R. Civ. P. 192.3(b), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “Document” and “Documents” shall include all agreements, contracts, communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, worksheets, workpapers, drafts, graphs, charts, tables, accounts, analytical records, consultants’ and experts’ reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words “Document” and “Documents” also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any

markings, additions, or deletions that are different from the original do not have to be separately produced.

G. Pursuant to P.U.C. Proc. R. § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

H. The term “**Communication**” includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.

I. The term “**Electronic Information**” includes, without limitation, the following: databases, data files, program files (*e.g.*, DOC, XLS, WPD files), image files (*e.g.*, JPEG, TIFF, PDF files), email messages and files, voicemail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or emails, backup files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies stored in any Data Sources in TIEC’s possession or control.

J The term “**Data Sources**” includes, without limitation, mainframe computers, network servers, internet (“web”) servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives, secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or smartphones (*e.g.*, iPhones).

K. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, Nucor requests that any electronic or magnetic data that is responsive to a request herein be produced in a format that is compatible with Microsoft Word, Excel or similar widely available formats and be produced with your response to these requests. If emails are responsive to these requests, please provide a copy of the entire email string. Attachments to emails should also be provided in native format.

L. The terms “**relate**” or “**relating**” to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

M. The term “**identify,**” when used in reference to a natural person means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number.

N. The terms “**identify**” and “**describe,**” when used in reference to facts, an event, or an allegation, means to include: (a) a detailed description of the facts, events, or allegation at issue; (b) the date or dates on which the facts or event occurred, or the time period involved in the events giving rise or relating to the allegation; (c) the name, address, telephone number, and affiliation of all persons involved in the facts, event, or allegation; and (d) the date, author, addressee or recipient, and type of document of any document relating to or concerning the event or allegation.

O. The term “**SWEPCO Application**” means the Application of Southwest Electric Power Company for Authority to Change Rate and the Petition and Statement of Intent filed at the Public Utility Commission of Texas on October 14, 2020, PUC Docket No. 51415, and referred to the State Office of Administrative Hearings by PUC Order on October 30, 2020, and subsequently assigned SOAH Docket No. 473-21-0538.

Requests

- Nucor 1-1 Please refer to page 46, lines 1 through 4, of the direct testimony of TIEC witness Jeffry Pollock. Does Mr. Pollock believe that the intra-class rate design should recover the cost of service allocated to the intra-classes within rate schedules in his class cost of service study (CCOSS)? If not, explain why not and provide the basis for determining the revenue targets for the intra-class rate designs.
- Nucor 1-2 Please refer to Table 3 on page 41 of the direct testimony of TIEC witness Jeffry Pollock. Explain and show how the accumulated deferred income tax (ADIT) percent allocations to rate schedules will be split among the intra-classes within the rate schedules. Also, if it is not split based on the amounts in the tab labeled WP LLP RD + Table 3 in the Excel file named Exhibits JP-1, JP-2, JP-3 Table 3.xlsx provided with Mr. Pollock’s workpapers, please explain.
- Nucor 1-3 Please provide a working Excel spreadsheet similar to TIEC Exhibit JP-3 that provides the rate schedule and intra-class rates of return (ROR) and relative rates of return (RROR) under TIEC’s recommended base rate revenue distribution.
- Nucor 1-4 Please refer to page 45, lines 9 through 12, of the direct testimony of TIEC witness Jeffry Pollock. Define the phrase “appropriate revenue requirement” for the intra-classes as used in that sentence. Also, explain the methodology that would be used to determine the “appropriate revenue requirement” for the sub-classes based on the information in Mr. Pollock’s testimony, exhibits, and workpapers.
- Nucor 1-5 Please provide a revised Exhibit JP-4 that shows recommended revenue distribution to the intra-classes as described on page 46, lines 1 through 4, of the direct testimony of TIEC witness Jeffry Pollock.
- Nucor 1-6 Please refer to page 46, lines 9 through 12, of the direct testimony of TIEC witness Jeffry Pollock. Explain how Mr. Pollock proposes to recover the revenue shortfall from his proposed gradualism adjustment for the Cotton Gin and Public Street and Highway Lighting rate classes from the other customer classes. In addition, provide the amount of the revenue shortfall assigned to each of the other rate classes and intra-classes.
- Nucor 1-7 TIEC witness Jeffry Pollock is proposing to limit the percent base rate increase to rate classes to 42.6% for purposes of his recommended class revenue allocation. Is Mr. Pollock also proposing this same percent increase limitation for his intra-class rate designs? If yes, explain how Mr. Pollock proposes to recover any intra-class revenue shortfalls caused by applying this gradualism to the intra-class rate designs.